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8 **BEFORE THE FAIR POLITICAL PRACTICES COMMISSION**  
9  
10 **STATE OF CALIFORNIA**

11  
12 In the Matter of ) FPPC No.: 04/575  
13 )  
14 KEVIN SHELLEY, ) DEFAULT DECISION AND  
15 ) ORDER  
16 Respondent. ) (Government Code section 11506)

17  
18 Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission,  
19 hereby submits this Default Decision and Order for consideration by the Fair Political Practices  
20 Commission at its next regularly scheduled meeting.

21 Pursuant to the Administrative Procedure Act,<sup>1</sup> Respondent KEVIN SHELLEY has been served  
22 with all of the documents necessary to conduct an administrative hearing regarding the above-captioned  
23 matter, including the following:

- 24 1. A Finding of Probable Cause;  
25 2. An Accusation;  
26 3. A Notice of Defense (Two Copies);  
27 4. A Statement to Respondent; and

28 <sup>1</sup> The Administrative Procedure Act, which governs administrative adjudications, is contained in sections 11370 through 11529 of the Government Code.

5. Copies of Government Code sections 11506, 11507.5, 11507.6 and 11507.7.

Government Code section 11506 provides that the failure of a respondent to file a Notice of Defense within fifteen days after being served with an Accusation shall constitute a waiver of respondent's right to a hearing on the merits of the Accusation. The Statement to Respondent, served on Respondent KEVIN SHELLEY, explicitly states that a Notice of Defense must be filed in order to request a hearing. Respondent failed to file a Notice of Defense within fifteen days of being served with an Accusation.

Respondent KEVIN SHELLEY violated the Political Reform Act as described in Exhibit 1, which is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter. This Default Decision and Order is submitted to the Commission to obtain a final disposition of this matter.

Dated: \_\_\_\_\_

Mark Krausse  
Executive Director  
Fair Political Practices Commission

## ORDER

The Commission issues this Default Decision and Order and imposes an administrative penalty of \$5,000 (Five Thousand Dollars) upon Respondent KEVIN SHELLEY payable to the “General Fund of the State of California.”

IT IS SO ORDERED, effective upon execution below by the Chairman of the Fair Political Practices Commission at Sacramento, California.

Dated:

Liane M. Randolph, Chairman  
Fair Political Practices Commission